

Remarks

Claims 1-30 have been rejected under 35 USC 102(b) as being anticipated by U.S. patent no. 5,926,166 (“Khederzadeh”).

Applicants respectfully traverse these rejections because the cited references do not disclose or suggest every element of any pending claim, as the following analysis shows.

Independent claims 1, 7, 16, 20, 23, and 28 each recite performing a function external to a system management mode (SMM) of the processor. Claims 1, 16, 20, 23 have been amended slightly to add “system” in front of “management mode”. This provides consistency in the terminology used in various other claims (e.g., 7, 28) by avoiding the abbreviated “management mode” version of this term, and is fully supported by the specification, which uses “system management mode” extensively from paragraph 0014 onwards. Khederzadch performs his operations within the SMM (col 3 lines 58-59, col 4 lines 55-56). Khederzadch repeatedly refers to the SMM BIOS, which is the BIOS that is accessible while running in SMM. Khederzadch uses the conventional approach that Applicant’s claimed invention is trying to avoid (see Applicant’s paragraph 0004).

The remaining pending claims all depend from claims 1, 7, 16, 20, 23 and 28, and therefore contain the same limitations not disclosed or suggested by the cited references.

Conclusion

For the foregoing reasons, it is submitted that the application is in condition for allowance, and indication of allowance by the Examiner is respectfully requested. If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible. If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 02-2666.

Respectfully submitted,

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Date: 4-13-05

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